

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77254 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Mukesh Kumar Paswan, son of Surendra Paswan, Village- Satanpur, PS-
Ujiarpur, Dist- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Prem Kumar Paswan, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Dalsingh Sarai P.S. Case No.63 of 2025, dated.24.02.2025, registered for the offences punishable under Sections 80 & 3(5) of the B.N.S., 2023.

3. As per allegation, 19 year old daughter of the Informant was married to the Petitioner 02.05.2024 and she was being tortured by the Petitioner and his family members for additional demand of dowry of Rs.2,00,000/- and she was also threatened that if the additional demand of dowry was not fulfilled, the Petitioner would solemnize second marriage. As per further allegation, on 22.02.2025 at about 4:00 PM, the victim went in her room and after closing the room she talked to the Petitioner/husband on mobile and thereafter, a phone call came from the Petitioner to the Informant that his daughter has committed suicide, when the Informant went to the room along



with his family members, they found the room closed and when the door was broken open, she was found hanging from the ceiling fan and when she was brought to the hospital, she was declared, brought dead.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the Petitioner is in government service and posted at Ranchi and this suicide was committed not at his house but at her *maike*. Hence, there is no involvement of the Petitioner in the alleged offence. Hence, it is not a case of dowry death and even abatement of suicide because for making out an offence of dowry death, there must be torturing soon before the death. But, she was living at her *maike* and the Petitioner was working at Ranchi and there is no such torturing. He further submits that it is not a case of even abatement of suicide, because he has no way contributed to the commission of suicide by the victim.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.



7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail submitting that suicide is an unnatural death and it has been committed within seven years of the marriage due to mental torturing by the Petitioner and his family members on account of non fulfillment of additional demand of dowry. He also brought to the notice of this Court that soon after the talk of the victim with the Petitioner, she has committed suicide. It means, it was provocation caused by the Petitioner/husband to the victim to commit suicide. The investigation is still going on. At this stage, privilege of anticipatory bail should not be granted to the Petitioner.

8. Considering the fact that the victim/lady has died an unnatural death within seven years of her marriage on account of additional demand of dowry and threatening by her husband to solemnize second marriage if the demand is not fulfilled, I am not persuaded to enlarge the Petitioner on anticipatory bail.

9. The bail petition of the Petitioner is rejected, accordingly.

(Jitendra Kumar, J.)

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